

ENTERED

July 17, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

JOE WILLIAMS, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
V.	§	3:23-cv-386
	§	
PENTAGON FEDERAL CREDIT	§	
UNION, <i>et al.</i> ,	§	
	§	
Defendants.	§	

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On April 10, 2025, all pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 34. Judge Edison filed a memorandum and recommendation on July 3, 2025, recommending that Defendant's motion for summary judgment (Dkt. 30) be granted in part and denied in part. Dkt. 43.

On July 17, 2025, the plaintiff filed its objections to the memorandum and recommendation. Dkt. 44. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting

this de novo review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

The court has carefully considered the objections; the memorandum and recommendation; the pleadings; and the record. The court accepts Judge Edison’s memorandum and recommendation and adopts it as the opinion of the court. It is therefore ordered that:

- (1) Judge Edison’s memorandum and recommendation (Dkt. 43) is approved and adopted in its entirety as the holding of the court; and
- (2) Defendant’s motion for summary judgment (Dkt. 30) is granted as to (a) Plaintiffs’ claim that PenFed willfully violated § 1681s-2(b); (b) Plaintiffs’ emotional distress damages; and (c) Plaintiffs’ claim for damages arising from the 1st Franklin and BHG credit denials; and
- (3) Defendant’s motion for summary judgment (Dkt. 30) denied as to (a) Plaintiffs’ claim that PenFed negligently violated § 1681s-2(b); and (b) Plaintiffs’ claim for actual damages arising from their loss of creditworthiness and the RBFCU credit denial.

Signed on Galveston Island this 17th day of July, 2025.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE